

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

PAUL SCOTT, an individual,
Plaintiff,

v.

CALEB CARR, individually; and VITA
INCLINATA TECHNOLOGIES
INC., a Delaware Corporation, as a nominal
Defendant,
Defendants.

Case No. 2:20-cv-00236-RSM

**STIPULATED MOTION AND ORDER
FOR EXTENSION OF CASE
SCHEDULE DEADLINES**

The Honorable Ricardo S. Martinez
NO ORAL ARGUMENT REQUESTED
Hearing Date: July 21, 2021

WHEREAS, on April 7, 2020, the Court issued an Order Setting Trial Date and Related Dates (Dkt. 27);

WHEREAS, in Part B of the parties Joint Status Report and Discovery Plan, the parties jointly represented to the Court their perceived difficulties in their scheduling needs due to the unprecedented effects of the COVID-19 pandemic and their commitment to work cooperatively with one another to accommodate each other during these unprecedented times (Dkt. 24);

WHEREAS, on September 14, 2020, the Court entered a Stipulated Motion and Order for Extension of Certain Deadlines (Dkt. 45);

///

**STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE
SCHEDULE DEADLINES - 1
CASE NO. 2:20-CV-00236-RSM**

**Betts
Patterson
Mines**
One Convention Place
Suite 1400
701 Pike Street
Seattle, Washington 98101-3927
(206) 292-9988

1 WHEREAS, on January 4, 2021, the Court entered a Stipulated Motion and Order for
2 Extension of Certain Deadlines that continued the jury trial date to October 12, 2021, or as
3 soonest thereafter as the Court permits (Dkt. 49);

4 WHEREAS, on March 19, 2021, the Court entered a Stipulated Motion and Order for
5 Extension of Certain Deadlines that reset the discovery deadline in this matter to July 29, 2021,
6 (Dkt. 51);

7 WHEREAS, the parties now wish to clarify the meaning and effect of the April 30, 2021,
8 deadline previously set for “All Motions Related to Non-Expert Discovery” in order to conduct
9 remaining discovery efficiently;

10 WHEREAS, the parties have each submitted respective non-expert discovery motions
11 which are now fully briefed and are currently pending before this Court (Defendants’ Motion to
12 Compel (Dkt. 51), Defendants’ Motion for Protective Order (Dkt. 55), and Plaintiff’s Motion to
13 Compel (Dkt. 57));

14 WHEREAS, the parties agree that the outcome of these pending non-expert discovery
15 motions may potentially expand the scope and necessary duration of discovery and agree that it
16 would be inefficient to finalize expert discovery and adhere to the current discovery deadline of
17 July 29, 2021, all before the entry of Orders resolving the non-expert discovery motions currently
18 pending before this Court (Dkts. 51, 55, and 57);

19 WHEREAS, the parties agree for the foregoing reasons that the future deadlines in this
20 matter’s case schedule should be struck and that remaining deadlines should be set following the
21 entry of Orders resolving the non-expert discovery motions currently pending before this Court
22 (Dkts. 51, 55, and 57).

23 IT IS HEREBY STIPULATED AND AGREED by and through the undersigned counsel
24 for Plaintiff and Defendants, in accordance with LCR 7(d)(1) and 10(g), subject to the approval
25 of the Court, that the following deadlines in the case shall be modified as set forth below. Within

thirty (30) days following entry of the last Order(s) which resolve the non-expert discovery motions currently pending before this Court, counsel for Plaintiffs and Defendants shall meet and confer and jointly propose to the Court new dates for trial and the remaining pre-trial deadlines scheduled as “TBD” below.

Event Title	Current Deadline	Proposed Amended Deadline
JURY TRIAL DATE	October 12, 2021	TBD
Non-expert, fact discovery completed. All Motions Related to non-expert Discovery must be filed by (see LCR 7(d))	April 30, 2021	April 30, 2021
Disclosure of Expert Testimony pursuant FRCP 26(a)(2) must be served by	June 3, 2021	June 3, 2021
Discovery Completed by	July 29, 2021	+60 days after entry of the last Order(s) which resolve the non-expert discovery motions currently pending before this Court, as identified above.
All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d))	August 5, 2021	+30 days after the above discovery deadline.
Mediation per LCR 39.1(c)(3), if requested by the parties , held no later than	August 17, 2021	TBD
All motions in limine must be filed by and noted on the motion calendar no later than the THIRD Friday thereafter.	September 7, 2021	TBD
Agreed pretrial order due.	September 20, 2021	TBD
Pretrial conference to be scheduled by the Court.	TBD	TBD

**STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE
SCHEDULE DEADLINES - 3
CASE NO. 2:20-CV-00236-RSM**

**Betts
Patterson
Mines**
One Convention Place
Suite 1400
701 Pike Street
Seattle, Washington 98101-3927
(206) 292-9988

Event Title	Current Deadline	Proposed Amended Deadline
Trial briefs, proposed voir dire questions, jury instructions, neutral statement of the case, and trial exhibits due.	September 27, 2021	TBD

IT IS SO STIPULATED.

DATED this 21st day of July 2021.

BETTS, PATTERSON & MINES, P.S.

TOMLINSON BOMSZTYK RUSS

By: /s/ Cruz H. Turcott

Anne Cohen, WSBA No. 41183

Cruz H. Turcott, WSBA No. 57532

Email: acohen@bpmlaw.com

cturcott@bpmlaw.com

Attorneys for Defendants

By: /s/ Abigail Staggars

Blair M. Russ, WSBA No. 40374

Abigail Z. Staggars, WSBA No. 43962

Email: bmr@tbr-law.com

azs@tbr-law.com

Attorneys for Plaintiff

ORDER

Based on the foregoing, IT IS SO ORDERED.

Dated this 22nd day of July, 2021.



RICARDO S. MARTINEZ

CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

BETTS, PATTERSON & MINES, P.S.

By: /s/ Cruz H. Turcott

Cruz H. Turcott, WSBA No. 57532

Attorneys for Defendants

TOMLINSON BOMSZTYK RUSS

**STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE
SCHEDULE DEADLINES - 4
CASE NO. 2:20-CV-00236-RSM**

**Betts
Patterson
Mines**
One Convention Place
Suite 1400
701 Pike Street
Seattle, Washington 98101-3927
(206) 292-9988

By: /s/ Abigail Stagers
 Abigail Z. Stagers, WSBA No. 43962
 Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2021, the foregoing was electronically filed with **United States District Court for the Western District of Washington** through the E-Filing system: **STIPULATED MOTION AND ORDER FOR EXTENSION OF CASE SCHEDULE DEADLINES.**

I further certify that on July 21, 2021, I served a copy of the foregoing on:

Blair M. Russ Abigail Z. Stagers Tomlinson Bomsztyk Russ 1000 Second Avenue, Suite 3660 Seattle, WA 98104 Fax: 206-621-9907 Email: bmr@tbr-law.com azs@tbr-law.com <i>Of Attorney for Plaintiff</i>	
---	--

- _____ by mailing to each of the foregoing a copy thereof, placed in a sealed envelope addressed as listed above and deposited in the United States mail at Portland, Oregon, and that postage thereon was fully prepaid.
- _____ by facsimile transmission to the number shown above.
- X by additional e-service through the E-Filing system, if party was registered.
- X by courtesy email to the email addresses shown above.

/s/ Carrie J. Cook
 Carrie J. Cook, CP
 Legal Assistant/Certified Paralegal